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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-----------------------|----------------------|---------------------|------------------|
| 10/674,711 | 09/29/2003 | Robert Kuimelis | 3632 | 4588 |
| 22886 AFFYMETRIX | 7590 01/23/200 INC | EXAMINER | | |
| ATTN: CHIEF | IP COUNSEL, LEGA | KATAKAM, SUDHAKAR | | |
| 3420 CENTRAL EXPRESSWAY SANTA CLARA, CA 95051 | | | ART UNIT | PAPER NUMBER |
| | | 1621 | | |
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| SHORTENED STATUTORY | Y PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE | |
| 3 MONTHS 01/23/2007 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| ## Diffice Action Summary The MAILING DATE of this communication appears on the cover sheet with the correspondence address — | | Application No. | Applicant(s) | | | |
|--|---|---|--|--|--|--|
| Suchakar Katakam 1621 Period for Reply | | 10/674,711 | KUIMELIS ET AL. | | | |
| The MALLING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Exercises of time may be available under the provisions of 37 FR1 13(6), in no event, however, may a reply be timely filled and the state of the communication of 37 FR1 13(6), in no event, however, may a reply be timely filled and the state of the communication. Pellints or ingrish with the set or contended priced for reply will, by statuta, example apple paid will expire SIX (5) MONTHS from the mailing date of this communication. Pellints or ingred with set and state of the communication. Pellints or ingred the office lister than there marks a the mailing date of this communication, even if timely filled, may reduce any seamle spatial transactions. Pellints or ingred the state of the communication, even if timely filled, may reduce any earned spatial transaction. Pellints or ingred the pellints of the communication of the mailing date of this communication, even if timely filled, may reduce any earned spatial transaction. Pellints or ingred the communication of the mailing date of this communication, even if timely filled, may reduce any earned great the mailing date of this communication. 1) □ Responsive to communication(s) filled on 21 December 2006. 20 □ This action is FINAL. 2b) ☑ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1-48 is/are pending in the application. 4) □ Claim(s) 1-48 is/are pending in the application. 4) □ Claim(s) 1-48 is/are allowed. 5) □ Claim(s) 1-48 is/are allowed. 6) □ Claim(s) 1-48 is/are allowed. 6) □ Claim(s) 1-48 is/are allowed. 7) □ Claim(s) 1-48 is/are allowed. 8) □ Claim(s) | Office Action Summary | Examiner | Art Unit | | | |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. • Extensions of time may be available under the professions of 37 CFR 1.13(a), in no event, however, may a reply be timely filled • Extensions of time may be available under the professions of 37 CFR 1.13(a), in no event, however, may a reply be timely filled • If No period to reply is specified above, the maximum studies period will gegly and will egies (50) (MONTHS from the mailing date of this communication, Fabrus to reply within the set or extended period for reply will, by exten | | | | | | |
| WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Etatesions of time may be available under the provisions of 37 CFR 1130-1. In no event, however, may a reply be timely field after SX (5) WONTH'S from the mailing date of this communication of 37 CFR 1130-1. In no event, however, may a reply be timely field after SX (5) WONTH'S from the mailing date of this communication of the provision of the provision of the communication of the provision of the provision of the communication of the provision of the above claim(s) 5.7.8.10-18 and 20-48 is/are withdrawn from consideration. 5] Claim(s)stare allowed. 6] Claim(s)stare allowed. 6] Claim(s)stare allowed. 6] Claim(s)stare allowed. 7] Claim(s)stare allowed. 8] The specification is objected to by the Examiner. 10] The drawing(s) filed onstare: a) accepted or b) objected to by the Examiner. Application Papers 9] The specification is objected to by the Examiner. 10] The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9] The specification is objected to by the Examiner. 10] The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9] The specification is objected to by the Examiner. 10] Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * C) None of: 1 Certified copies of the priority documents have been received in Application No 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 2 Certified copies of the priority documents have been received in Application No | | ears on the cover sheet with the c | orrespondence address | | | |
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| 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-48 is/are pending in the application. 4a) Of the above claim(s) 5.7.8.10-18 and 20-48 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-4, 6.9 and 19 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some Olymone of: Certified copies of the priority documents have been received. Certified copies of the priority documents have been received in Application No. 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. | Status | | | | | |
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Application/Control Number: 10/674,711

Art Unit: 1621

DETAILED ACTION

Information Disclosure Statement

1. The examiner has considered applicant's Information Disclosure Statement of 05/06/2005. Please refer to the signed copies of the PTO-1449 forms attached herewith.

Response to Restriction

2. Applicant's election without traverse of claims 1-9, and 19 in the reply filed on Dec 21st, 2006 is acknowledged.

Claims 10-18 and 20-48 are withdrawn from consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim.

Claims 5, and 7-8 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species for a cyclic silicon compound, there being no allowable generic or linking claim.

Election was made without traverse in the reply filed on Dec 21st, 2006

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Application/Control Number: 10/674,711 Page 3

Art Unit: 1621

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6, 9 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by **Morehouse** (US 3,032,576).

The instant claims are drawn to a cyclic silane based compound with a generic formula as recited in claim 1 and its species as recited in claim 9.

Morehouse discloses a cyclic silane compound [col. 8, lines 49-54], which reads the instant applicants generic claim and its dependant claims, and also the species claim.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sudhakar Katakam whose telephone number is 571-272-9929. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thurman Page can be reached on 571-272-0602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

Application/Control Number: 10/674,711

Art Unit: 1621

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SK

SAMUEL BARTS
PRIMARY EXAMINER
GROUP 1200